

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JAMES P. LEMON,

Plaintiff,

ORDER

-against-

23 Civ. 4698 (KMK)(JCM)

JOHN DOE (1), *et al.*,

Defendants.
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At the status conference on April 11, 2024, this Court scheduled a Telephone Conference for June 12, 2024 at 10:00 a.m. Plaintiff did not appear at the June 12, 2024 conference, nor did he contact the Court to request an adjournment or otherwise notify the Court of an inability to attend the conference. John Walsh appeared on behalf of Defendants and advised the Court that he has not heard from Plaintiff, nor has Plaintiff complied with the Court's prior order to produce discovery.

Accordingly, Plaintiff shall file a letter with the Court by close of business June 21, 2024, explaining in writing (1) his failure to appear at the June 12, 2024 Telephone Conference; and (2) why the undersigned should not sanction him for failing to appear.¹

Plaintiff is further directed to immediately comply with the Court's April 11, 2024 Order to provide Defendants with (1) signed medical releases; (2) a signed form allowing Defendants access to his sealed criminal case relating to this case; (3) disclosures under Rule 26(a) of the Federal Rules of Civil Procedure; and (4) responses to Defendants' discovery requests.

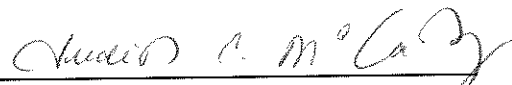
In addition, the Court has scheduled a Telephone Conference for July 18, 2024 at 10:30 a.m. Participants shall call 877-873-8017 and enter access code 4264138 at the time of the

¹ Pursuant to Rule 16 of the Federal Rules of Civil Procedure, the Court may issue sanctions, "including those authorized by Rule 37(b)(2)(A)(ii)-(vii), if a party or its attorney . . . fails to appear at a scheduling or other pretrial conference." Fed. R. Civ. P. 16(f)(1)(A).

conference. Plaintiff is reminded of his affirmative duty to diligently prosecute this action under Rule 41(b) of the Federal Rules of Civil Procedure. Plaintiff's failure to follow Court orders or to appear at the next conference may result in sanctions, including, but not limited to, dismissal of his case for failure to prosecute.

Dated: June 12, 2024
White Plains, New York

SO ORDERED:



JUDITH C. McCARTHY
United States Magistrate Judge